

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
COURT FILE NO.: 12-cv-915 JNE/TNL**

Brian F. Hupperts, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

APOGEE Retail, LLC d/b/a Unique
Thrift Store, Valu Thrift Store, Unique,
and Value Village; Apogee Retail NY
LLC d/b/a Unique and Unique Thrift
Store; and Apogee NY, LLC d/b/a
Unique Thrift Store, Value Village and
Unique,

**PLAINTIFF'S UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Defendants.

Plaintiff Brian F. Hupperts, on behalf of himself and all others similarly situated, by and through his attorney of record, pursuant to Federal Rule of Civil Procedure 23, respectfully moves this Court for an Order granting preliminary approval of a class action settlement of all claims, and entry of a final judgment, in accordance with the terms set forth more fully in the Stipulation of Settlement.

Respectfully Submitted,

Dated this 11th day of March, 2013.

By: s/Thomas J. Lyons Jr.
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